

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

ELLOYD JOHNSON

PETITIONER-MOVANT

vs.

TEXAS BOARD OF PARDONS AND PAROLES

RESPONDENT.

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS
AUG - 8 2019

CIVIL ACTION NO. 9:18 CV 85-RC-ZJH

LEAVE FOR DEFAULT RULE 55. FRCP DEFAULT

JUDGMENT

PETITIONER-MOVANT MOVES INCOMPLIANCE WITH FED. R. CIV. PRDL. RULE 55
DEFAULT JUDGMENT ENTERING UNDER R. 55 (a) (b) (1) OR (2)(C) (D).

BRIEF HISTORY CLAIM

PETITIONER FILED IN THIS STATE U.S. DISTRICT COURT CLAIMS ALLEGING PRISON
OFFICIALS DISCIPLINARY RESULTS IN DENYING PETITIONER UNIT INTERVIEW
FOR RELEASE ON MANDATORY SUPERVISION... WHERE THE TEXAS BOARD OF
PARDONS AND PAROLES FAILURE TO NOTIFY PETITIONER, WHETHER, PETITIONER
WAS GRANTED OR DENIED PAROLE RELEASE OR WHAT REASONS OR REASON
WAS REASONABLE TO DENY RELEASE??

THE BOARD AND PARDONS AND PAROLES HAVE RESPONDED THREE(3)
DENIED RELEASE DOCUMENTS OVER A 15 YEAR MANDATORY-SUPERVISION
PROSPECT AFTER 22+ YEARS INCARCERATED.

LEGAL ANALYSIS

WHEN A PARTY AGAINST WHOM A JUDGMENT FOR RELIEF IS SOUGHT HAS FAILED TO PLEAD OR DEFEND THE CLERK MUST ENTER THE PARTY'S DEFAULT. THE BPP IS NOT OF MINOR NOR AN INCOMPETENT PERSON.

THE DEFAULT JUDGMENT BY DECISION OF THE COURT MAY CONDUCT HEARINGS OR MAKE REFERRALS — PRESERVING ANY FEDERAL STATUTORY RIGHT TO A JURY TRIAL — WHEN, TO ENTER OR EFFECTUATE JUDGMENT IT NEEDS TO:

- (C) ESTABLISH THE TRUTH OF ANY ALLEGATIONS BY EVIDENCE; OR
- (D) INVESTIGATE ANY OTHER MATTER.

LEGAL ANALYSIS ORDER BY U.S. DISTRICT COURT

"IT IS OF THE OPINION OF THE UNDERSIGNED THAT CLAIMS REGARDING THE DISCIPLINARY WITH THE COURT" HAMMON V. ADAMS, "REGARDING THE DISCIPLINARY CONVICTION AND CLAIMS CONCERNING MANDATORY SUPERVISION SHOULD PROCEED AS SEPARATE CIVIL ACTIONS.", CITING FRCP 21, WITH ORDERING THE CLERK TO "ASSIGN A NEW CIVIL ACTION NUMBER" UNDER ALLOTMENT.

CONCLUSION

FOR THE FOREGOING REASONS SET OUT IN THIS "LEAVE FOR DEFAULT RULE 55, FRCP DEFAULT JUDGMENT" PETITIONER-MOVANT ASK THIS U.S. DISTRICT COURT GRANT RELIEF SOUGHT SVA SPONTE.



PETITIONER-MOVANT-PAUPER

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

OFFICE OF THE CLERK

AUG. 5, 2019

HONORABLE UNITED STATES DISTRICT COURT, EASTERN DISTRICT, DAVID A. O'TOOLE, CLERK.

UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF TEXAS

104 NORTH THIRD STREET

LUFKIN, TEXAS 75901

RE: ELLOYD JOHNSON V. TEXAS BOARD OF PARDONS AND PAROLES
CIVIL ACTION NO. 93-18 CV 85-RC-ZJH

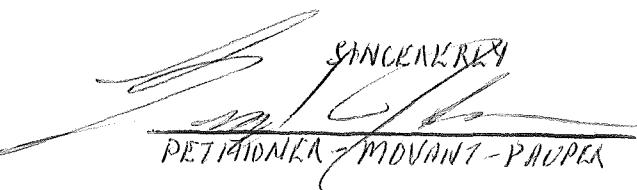
DEAR MR. O'TOOLE:

ENCLOSED FOR FILING IS PETITIONER-MOVANT "LEAVE FOR DEFAULT RULE
55, FRCP DEFAULT JUDGMENT."

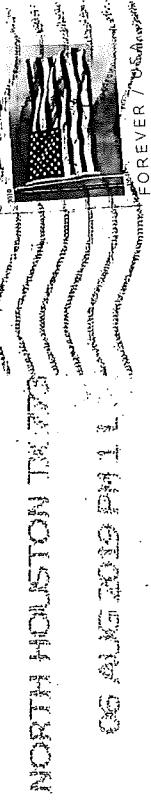
PLEASE GIVE NOTICE UPON RECEIPT.

THANK YOU RESPECTFULLY FOR YOUR ASSISTANCE.

✓ PROVIDED UPON REQUEST
EJS


SINCERELY
PETITIONER/MOVANT - PAUPER

ELIYD JOHNSON # 840854
POLINSKY UNIT
3872 FM 350 SOUTH
LIVINGSTON, TEXAS 77351



UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
OFFICE OF THE CLERK
104 NORTH THIRD STREET
LOUFUR, TEXAS, 75901

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